

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

INA STEINER, DAVID STEINER, and
STEINER ASSOCIATES, LLC,

Plaintiffs,

v.

EBAY INC., et al.,

Defendants.

Case No.: 1:21-cv-11181-DPW

**DEFENDANT STEVE WYMER'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL
REPLY IN SUPPORT OF HIS MOTION TO DISMISS**

Defendant Steve Wymer respectfully requests that the Court grant him leave to file a supplemental reply in support of his motion to dismiss in response to Plaintiffs' supplemental opposition filed on October 1, 2022. ECF No. 146.

1. On September 29, 2022, Plaintiffs sought leave to supplement their opposition to Defendants' motions to dismiss with the following specified documents: (a) Defendant Jim Baugh's September 29, 2022 Sentencing Memorandum; (b) Baugh's September 29, 2022 letter of attrition; and (c) Defendant David Harville's September 24, 2022 Amended Sentencing Memorandum. ECF No. 144.
2. On September 30, 2022, the Court granted Plaintiffs' motion. ECF No. 145.
3. On October 1, 2022, Plaintiffs filed the three specified documents that they were granted leave to file. ECF Nos. 146-1, 146-2, 146-3.
4. In addition, Plaintiffs filed six pages of supplemental briefing that they were not authorized to file. ECF No. 146.

5. Wymer requests leave to file the supplemental reply attached as Exhibit 1 to respond to Plaintiffs' supplemental briefing and address the attorney argument, mischaracterizations, and legal conclusions therein.
6. Counsel for Wymer has conferred with Plaintiffs' counsel regarding Wymer's intent to move for leave to file a supplemental reply. In response, Plaintiffs' counsel stated that Plaintiffs will take no position on the motion.

Dated: October 17, 2022

Respectfully submitted,

/s/ Caz Hashemi

Caz Hashemi (pro hac vice)

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Counsel for Steve Wymer

LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel hereby certifies that, in accordance with Local Rule 7.1(a)(2), counsel for Mr. Wymer has conferred with counsel for Plaintiffs, who indicated that Plaintiffs will take no position on this motion.

Dated: October 17, 2022

/s/ Michael J. Pineault

Michael J. Pineault

CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2022, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: October 17, 2022

/s/ Michael J. Pineault

Michael J. Pineault